

Information Sheet 11

Dispositional hearing in 602 proceeding for child returning from a runaway episode

Generally, a child on runaway status will come into contact with law enforcement, resulting in an arrest on a new offense and/or a violation of probation and detention in juvenile hall with an eventual dispositional order for return to suitable placement in foster care. The options available for ensuring that title IV-E issues are timely considered and findings & orders are made are discussed below in Part A.

In a majority of the cases, the child is still in juvenile hall and a specific placement has not been identified and confirmed by the time of the dispositional hearing, which requires a slight modification of two of the review findings and orders as discussed below in Part B. The remaining review findings are unchanged.

Part A: Making the title IV-E findings & orders at the dispositional hearing

At the disposition hearing, the two preferred options available in terms of title IV-E findings & orders are:

- Consider the review issues, enter the title IV-E review findings & orders, and continue to the next previously scheduled review hearing. This is the preferred option in that it ensures eligibility for the child's pending title IV-E placement. In addition, it provides an opportunity for the court to identify the placement and determine its specific appropriateness before a full six month period has passed.
- Consider the review issues, enter the title IV-E review findings & orders, and set the next review hearing six months from the dispositional hearing. This option does ensure title IV-E eligibility for the child's pending placement, but it will be a full six months before the court identifies and determines the appropriateness of the specific placement; or

A third option is available at the time of the disposition hearing, assuming review hearings have been held as required during the period the child was on runaway status:

- Do not make the title IV-E review findings & orders and continue to the next previously scheduled review hearing.

PART B: Modified review findings and orders made at dispositional hearing for a child returning from runaway status who is in juvenile hall and for whom a placement has not yet been identified.

D1 For all hearing types: An out of home placement continues to be necessary and the child's intended placement level is appropriate. (The probation officer's report must include information regarding the child's need for continued placement as well as the level of placement being sought and the reasons that level is appropriate.)

D5¹ For permanency and post permanency:
The plan of an identified placement in a

(identify level of placement—group home, foster home, residential treatment home) with a specific goal of

(Select return home, adoption, legal guardianship, placement with a relative, a less restrictive foster setting, or emancipation with identification of a long-term mentor)

is appropriate and is ordered as the permanent plan. The probation department must provide the court with the name of the placement and the goal when the child is placed.

¹ This assumes the child's permanent plan is an identified placement with a specific goal. If the child has a permanent plan of adoption or guardianship, that plan should be identified and ordered.